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NO. 4058 P. 3

#5

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PTO/SB/85 (03-09)

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

12/21/2010 DALLEN 00000013 5820407

01 FC:1599

2755.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at
(571) 272-3282.Patent Number: 5820407Application Number: 08844879Issue Date: 10-13-98Filing Date: 4-22-97

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.388(c) and (d).

Also complete the following information, if applicable:

The above-identified patent

☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
_____ filed on _____**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

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Date

Signature

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/23/2011 CKHLOK 00000013 5820407

01 FC:2553
02 FC:15582055.00 OP
1640.00 OPAdjustment date: 05/23/2011 CKHLOK
12/21/2010 DALLEN 00000013 5820407
01 FC:1599

-2755.00 OP

PAGE 3/18 * RCVD AT 12/14/2010 4:19:56 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-6/45 * DNIS:2738300 * CSID:5107967497 * DURATION (mm:ss):03:36

PTO/SB/65 (03-09)

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WARNING:

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8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

David Morse
Signature(s) of Petitioner(s)

12-14-10
Date

DAVID MORSE
Typed or printed name(s)

Registration Number, if applicable

P.O. Box 8101
Address

510 557 5772
Telephone Number

Element CA 94537
Address

ENCLOSURES:

- ☒ Maintenance Fee Payment
☒ Statement why maintenance fee was not paid timely
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
☐ Other: _____

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PTO/SB/44 (03-09)

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 5820407Application Number 08844879Issue Date 10-13-98Filing Date 4-22-97

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Also complete the following information, if applicable

The above - identified patent

☐Is a reissue of original Patent No. _____ original issue date _____
original application number _____ 84/13/2011 MBANGURA 00000202 5820407
original filing date _____ 01 FC:1599☐resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____
filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date

Signature

Typed or Printed Name of Person Signing Certificate

(page 1 of 3)

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Adjustment date: 05/23/2011 CKHLOK
84/13/2011 MBANGURA 00000202 5820407

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-948.00 OP

additional payment to complete fee for petition
amb

PTO/SB/66 (03-05)

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8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

David M. Morse
Signature(s) of Petitioner(s)

3-30-11
Date

David M. Morse
Typed or printed name(s)

Registration Number, if applicable

510 557 5772
Telephone Number

P.O. Box 8101 Fremont CA 94537
Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

☐

Maintenance Fee Payment

☒

Surcharge under 37 CFR 1.200)(2) (fee for filing the maintenance fee petition)

☐

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